

IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 NO.:

LONNIE P. WALKER  
ARETHA R. WALKER

14 - 02150 - NPO

**TRUSTEE'S NOTICE AND MOTION TO MODIFY**

COMES NOW Harold J. Barkley, Jr, the duly appointed and qualified Standing Trustee in the above cause and moves to modify the above proceeding for reasons to be shown below.

1. The Debtors Chapter 13 Plan was confirmed by Order of this Court entered on November 18, 2014, said plan being for a period of 60 months with 100% to unsecured creditors.

2. That, the Debtors' case was confirmed paying on-going mortgage payments to JPMorgan Chase Bank, NA. However, the last payment was returned to the Trustee with correspondence indicating that the loan was transferred to Rushmore Loan Management.

3. To date, Rushmore Loan Management has not filed a transfer of claim notice that would allow the Trustee to make payments to them.

4. Rushmore Loan Management should file a transfer of claim on or before hearing hereon.

5. That, if a transfer of claim is not filed, the Debtors' plan should be modified to make no further payments to JPMorgan Chase Bank, NA, with the Debtors to be responsible for on-going mortgage payments directly to Rushmore Loan Management.

6. The indebtedness of those creditors not timely filing proof of claims should be paid \$0.00, and said indebtednesses should be discharged upon completion of this plan.

7. That, the Debtors' Wage Deduction Order should be amended accordingly if necessary.

8. **You are hereby notified** that all Objections must be made in writing to the Clerk of this Court. Attorneys and Registered Users of the Electronic Case Filing (ECF) system should file any response using ECF. Others should file any response at U. S. Bankruptcy Court, U. S. Courthouse, 501 East Court Street, Suite 2.300, Jackson, MS 39201, with a copy mailed to the Trustee at the address below.

9. **You are further notified** that all Objections must be made within twenty-one (21) days of this date, being February 12, 2018.

10. **You are further notified** that should no Objection be timely filed, the Court will be requested to enter an Order ex parte.

11. Other grounds to be shown at a hearing hereon.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this motion be received and filed, and at a hearing hereon this Honorable Court will enter its Order sustaining Trustee's Motion to Modify, and for such other, further and general relief to which the Trustee and this bankrupt estate may be entitled.

Dated: January 22, 2018

Respectfully submitted,

/s/Harold J. Barkley, Jr.

HAROLD J. BARKLEY, JR. - MSB #2008  
CHAPTER 13 TRUSTEE  
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**CERTIFICATE**

I, Harold J. Barkley, Jr., Trustee, do hereby certify that I have this date mailed a true and correct copy of the foregoing pleading to the following parties by United States Mail, postage prepaid or by ECF Filing Notification:

Office of the U S Trustee  
[ustregion05.ja.ecf@usdoj.gov](mailto:ustregion05.ja.ecf@usdoj.gov)

Hon. Robert Rex McRaney, Jr.  
[mcraneymcraney@bellsouth.net](mailto:mcraneymcraney@bellsouth.net)

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Aretha R. Walker  
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Monroe, LA 71203

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Rushmore Loan Management  
15480 Laguna Canyon Road  
Irvine, CA 92618

Hon. Elizabeth Crowell  
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[Elizabeth.crowell@ms.creditorlawyers.com](mailto:Elizabeth.crowell@ms.creditorlawyers.com)

Hon. J. Gary Massey  
Shapiro & Massey, LLP  
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Dated: January 22, 2018

/s/Harold J. Barkley, Jr.  
HAROLD J. BARKLEY, JR.